

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY, JULY 23 19 85

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE  
COUNCIL CHAMBERS Tuesday EVENING July 23 A.D., 19 85,  
IN Regular SESSION. PRESIDENT Mark E. GiaQuinta  
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND  
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING  
MEMBERS VIZ:

BRADBURY <u>P</u>	BURNS <u>P</u>	EISBART <u>P</u>
GiaQUINTA <u>P</u>	HENRY <u>P</u>	REDD <u>P</u>
SCHMIDT <u>P</u>	STIER <u>Absent</u>	TALARICO <u>P</u>

ABSENT: \_\_\_\_\_

COUNCILMAN: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

THE INVOCATION WAS GIVEN BY \_\_\_\_\_

THE MINUTES OF THE LAST REGULAR July 9, 19 85

\_\_\_\_\_, 19 \_\_\_\_\_,

SPECIAL \_\_\_\_\_, 19 \_\_\_\_\_,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED  
AND PUBLISHED.

COMMUNICATION FROM THE MAYOR

June 26, 1985

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, June 26, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of June 25, 1985.

(Bill No. S-85-06-01)  
(as amended)  
SPECIAL ORDINANCE NO. S-110-85

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,000,000 AGGREGATE PRINCIPAL AMOUNT OF ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1985 A AND SERIES 1985 B (McJON/McEOWEN STONE MILLIGAN PROJECT) OF THE CITY OF FORT WAYNE, INDIANA, THE PROCEEDS OF WHICH SHALL BE LOANED TO McJON, INC. AND TO DAVID W. McEOWEN, FRED J. STONE AND THOMAS J. MILLIGAN, AN INDIANA GENERAL PARTNERSHIP, TO ASSIST IN THE FINANCING OF AN ECONOMIC DEVELOPMENT FACILITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT, TRUST INDENTURE, BOND PURCHASE AGREEMENT AND ASSIGNMENTS APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS

(Bill No. S-85-06-02)  
(as amended)  
SPECIAL ORDINANCE NO. S-111-85

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$4,415,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF FORT WAYNE AIRPORT REVENUE BONDS, SERIES 1985, THE PROCEEDS OF WHICH SHALL BE USED FOR THE PAYMENT OF THE COST OF THE CONSTRUCTION, EXTENSIONS, ADDITIONS, OR IMPROVEMENTS AT BAER FIELD MUNICIPAL AIRPORT; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A TRUST INDENTURE, BOND PURCHASE AGREEMENT AND ASSIGNMENTS APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS.

(Bill No. S-85-06-03)  
SPECIAL ORDINANCE NO. S-112-85

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$1,000,000 AGGREGATE PRINCIPAL AMOUNT OF ECONOMIC DEVELOPMENT REVENUE BONDS SERIES 1985 (ALLAN W. PEDDEN PROJECT), THE PROCEEDS OF WHICH SHALL BE LOANED TO ALLAN W. PEDDEN, AN INDIVIDUAL, TO ASSIST IN THE FINANCING OF AN ECONOMIC DEVELOPMENT FACILITY; PROVIDING FOR THE



PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT, TRUST INDENTURE, BOND PURCHASE AGREEMENT AND ASSIGNMENTS APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS

(Bill No. S-85-06-04)  
(as amended)  
SPECIAL ORDINANCE NO. S-113-85

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,285,000 AGGREGATE PRINCIPAL AMOUNT OF ECONOMIC DEVELOPMENT REVENUE BONDS (BGSQ BUILDING CORPORATION PROJECT) OF THE CITY OF FORT WAYNE, INDIANA, THE PROCEEDS OF WHICH SHALL BE LOANED TO BGSQ BUILDING CORPORATION TO ASSIST IN THE FINANCING OF AN ECONOMIC DEVELOPMENT FACILITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LOAN AGREEMENT, TRUST INDENTURE, BOND PURCHASE AGREEMENT AND ASSIGNMENTS APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS

(Bill No. S-85-06-05)  
SPECIAL ORDINANCE NO. S-114-85

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BONDS (CMK ENTERPRISES PROJECT) SERIES 1985" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-85-06-06)  
SPECIAL ORDINANCE NO. S-115-85

AN ORDINANCE approving a Lease Agreement to be entered into by and between the City of Fort Wayne, Indiana, as "Lessor" and the Three Rivers Ambulance Authority as "Lessee"

(Bill No. R-85-06-10)  
RESOLUTION NO. R-82-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$1,665,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANTS PHILCO CORPORATION AND/OR PHILIP M. CLEMENS TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-06-26)  
DECLARATORY RESOLUTION NO. R-83-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-06-28)  
DECLARATORY RESOLUTION NO. R-84-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. G-85-05-45)  
GENERAL ORDINANCE NO. G-14-85

AN ORDINANCE approving the City of Fort Wayne's Five Year Capital Improvement Program and One Year Capital Budget

(Bill No. G-85-06-11)  
(as amended)  
GENERAL ORDINANCE NO. G-15-85

AN ORDINANCE requiring the approval of the Common Council of the City of Fort Wayne, Indiana, for purchases and/or leases of real estate by the City and its utilities

(Bill No. G-85-06-12)  
GENERAL ORDINANCE NO. G-16-85

AN ORDINANCE amending Ordinance Number G-10-84 dealing with Historic Preservation Districts

(Bill No. g-85-06-13)  
GENERAL ORDINANCE NO. G-17-85

AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana

(Bill No. Z-85-05-13)  
ZONING MAP ORDINANCE NO. Z-07-85

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D-2

(Bill No. Z-85-05-15)  
ZONING MAP ORDINANCE NO. Z-08-85

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

(Bill No. S-85-06-07)  
SPECIAL ORDINANCE NO. S-116-85

AN ORDINANCE approving Civil City Purchase Order Number #A-40168 with Fire Hydraulics, for the Fire Department of the City of Fort Wayne, Indiana

(Bill No. S-85-06-08)  
SPECIAL ORDINANCE NO. S-117-85

AN ORDINANCE approving Civil City Purchase Orders #A-40169 and



#A-40170 with Jackson Wrecking and Richard Ness Excavating, respectively, for the Safe Housing Enforcement Division

(Bill No. S-85-06-14)  
SPECIAL ORDINANCE NO. S-118-85

AN ORDINANCE approving City Utilities Purchase Order #A-44575 by the City of Fort Wayne, by and through its Department of Purchasing and RAECO, INC., for the Water Pollution Control Plant

(Bill No. S-8-5-06-15)  
SPECIAL ORDINANCE NO. S-119-85

AN ORDINANCE approving Contract 395-1983 - Rehabilitation of Sewers, SSES Subsystems, DS, ES, GS and KS, by and between the City of Fort Wayne, Indiana and Bercot, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-85-06-160)  
SPECIAL ORDINANCE NO. S-120-85

AN ORDINANCE approving Change Order #1 - Res. 410-85, Evard Road - Ramblewood Drive Pump Station, with T-G Excavating, in connection with the Board of Public Works and Safety

(Bill No. S-85-06-17)  
SPECIAL ORDINANCE NO. S-121-85

AN ORDINANCE approving Change Order #1 - Res. #403-85, Lathrop St. Drainage Improvement, with L.W. Dailey, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-85-06-18)  
SPECIAL ORDINANCE NO. S-122-85

AN ORDINANCE approving Change Order #1, Contract 85-W-2, Southwest Pump Station, with The Robert Henry Corporation, in connection with the Board of Public Works and Safety

(Bill No. S-85-06-19)  
SPECIAL ORDINANCE NO. S-123-85

AN ORDINANCE approving Change Order #1 (Final), Contract #8408, Ley Road-Speedway Drive, with Land, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-85-06-20)  
SPECIAL ORDINANCE NO. S-124-85

AN ORDINANCE approving Change Order #2, Contract 84-W-1, Northwest Reservoir, with Preload Technology, Inc., in connection with the Board of Public Works and Safety

(Bill No. X-85-02-26)  
ANNEXATION ORDINANCE NO. X-05-85

AN ORDINANCE annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 3

(Bill No. R-85-02-27)  
RESOLUTION NO. R-78-85

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana setting forth the policy of the City of Fort Wayne, Indiana in regards to the annexation of the Elk Grove Annexation Area

(Bill No. X-85-05-32)  
ANNEXATION ORDINANCE NO. X-02-85

ANNEXATION ORDINANCE annexing certain territory commonly known as the Winters Road Annexation Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 4

(Bill No. R-85-05-33)  
RESOLUTION NO. R-79-85

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana setting forth the policy of the City of Fort Wayne, Indiana in regards to the annexation of the Winters Road Annexation Area

(Bill No. X-85-05-34)  
ANNEXATION ORDINANCE NO. X-03-85

ANNEXATION ORDINANCE annexing certain territory commonly known as the Ferguson Road Annexation Area to the City of Fort Wayne, Indiana and including the same in the Councilmanic District No. 4

(Bill No. R-85-05-35)  
RESOLUTION NO. R-80-85

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana setting forth the policy of the City of Fort Wayne, Indiana in regards to the annexation of the Ferguson Road Annexation Area

(Bill No. X-85-05-53)  
ANNEXATION ORDINANCE NO. X-04-85

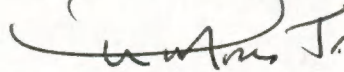
ANNEXATION ORDINANCE annexing certain territory commonly known as the Smith/Winters Annexation Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 4



(Bill No. R-85-05-54)  
RESOLUTION NO. R-81-85

A RESOLUTION of the Common Council of the City of Fort Wayne,  
Indiana setting forth the policy of the City of Fort Wayne,  
Indiana in regards to the annexation of the Smith/Winters Road  
Annexation Area

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Win Moses, Jr.", written over a circular stamp or seal.

Win Moses, Jr.  
Mayor

COMMUNICATION FROM THE MAYOR

July 11, 1985

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, July 11, 1985, I have approved the following ordinances and resolutions passed by the Common council at its regular meeting of July 9, 1985.

(Bill No. S-85-06-21)  
SPECIAL ORDINANCE NO. S-125-85

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BOND, SERIES 1985 (WEINGART, INCORPORATED PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. s-85-06-22)  
SPECIAL ORDINANCE NO. s-126-85

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BOND, SERIES 1985 (HYDRA-TECH, INC. PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-85-06-24)  
SPECIAL ORDINANCE NO. S-127-85

AN ORDINANCE approving Civil City Purchase Order #A-40340 with Harold McComb & Son, Inc., for the Fire Department of the City of Fort Wayne, Indiana

(Bill No. r-85-06-23)  
RESOLUTION NO. R-85-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$900,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT SKINNER PROPERTIES, AN INDIANA PARTNERSHIP, AND/OR PRESS SEAL GASKET CORP. TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-06-27)  
DECLARATORY RESOLUTION NO. R-86-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1



(Bill No. R-85-06-29)  
DECLARATORY RESOLUTION NO. R-87-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-07-05)  
DECLARATORY RESOLUTION NO. R-88-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. S-85-06-39)  
SPECIAL ORDINANCE NO. S-128-85

AN ORDINANCE approving Contract for Res. #6016-85 - Pontiac Place NSA, Phase IV-B, (Eckert St.), by and between the City of Fort Wayne, Indiana and Mergy Construction Company, in connection with the Board of Public Works and Safety

(Bill No. s-85-06-40)  
SPECIAL ORDINANCE NO. S-129-85

AN ORDINANCE approving Contract for Res. #6021-1985, Maplecrest Road Extension, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Earth Construction, Inc.

(Bill No. s-85-06-41)  
SPECIAL ORDINANCE NO. S-130-85

AN ORDINANCE approving Contract for Res. #6015-1985, Larez NSA, Phase IV, by the City of Fort Wayne, by and through its Board of Public Works and Safety and Hipskind Concrete Company, Inc.

(Bill No. S-85-06-42)  
SPECIAL ORDINANCE NO. S-131-85

AN ORDINANCE approving City Utilities Purchase Orders #A-44592 through #A-44595 by the City of Fort Wayne by and through its Department of Purchasing and Lewis & Christian, Xerox, Business Equipment, and O'Reilly's Office Supply for the Office Services Department

(Bill No. S-85-06-43)  
SPECIAL ORDINANCE NO. S-132-85

AN ORDINANCE approving City Utilities Purchase Order #A-44712 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Engineered Fiberglass Products for the Street Light Engineering Department

(Bill No. S-85-06-45)  
SPECIAL ORDINANCE NO. S-133-85

AN ORDINANCE approving Change Order No. 1, Res. #408-195, Phase II, Southwest Interceptor, with Bercot, Inc., in connection with the Board of Public Works and Safety

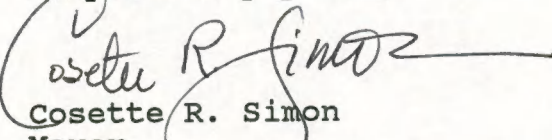
(Bill No. S-85-06-46)  
(as amended)  
SPECIAL ORDINANCE NO. S-134-85

AN ORDINANCE approving Bid Reference Number 730, by the City of Fort Wayne, by and through its Department of Purchasing and Midwest Tile & Concrete Products, Inc., and Nicholson Mfgs. for the WPC Maintenance Department

(Bill No. S-85-06-44)  
SPECIAL ORDINANCE NO. S-135-85

AN ORDINANCE approving Springmill Woods Storm and Sanitary Sewer Extension Agreement with the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety

Respectfully yours,

  
Cosette R. Simon  
Mayor





# The City of Fort Wayne

LAND USE MANAGEMENT  
Division of Community Development & Planning

25 June 1985

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one  
(1) ordinance concerning the vacation of dedicated utility easements.

The proposed ordinance is designated as:

BILL NO. G-85-06-32

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
25th day of June 1985.

Melvin O. Smith  
Secretary

# FACT SHEET

G-85-06-32

BILL NUMBER

## Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Easement Vacation Ordinance

### DETAILS

#### Specific Location and/or Address

Easements lying between Interurban,  
Commerical & Magnetic Drive.

#### Reason for Project

To allow for the expansion of structure  
into the easements.

#### Discussion (Including relationship to other Council actions)

##### 17 June 1985 - Public Hearing

Gary Lebrato, 801 Summit Square, appeared representing the petitioners. He stated that the contract buyers wish to expand, and the contract sellers are willing to allow the expansion. He stated that in order to expand their building they will need to vacate the requested easements.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

##### 24 June 1985 - Business Meeting

Motion was made and carried to return the ordinance to the Common Council with a DO PASS recommendation.

Of the eight (8) members present seven (7) voted in favor of approval one (1) did not vote.

### POSITIONS

### RECOMMENDATIONS

#### Sponsor

City Plan Commission

#### Area Affected

City Wide

Other Areas

#### Applicants/ Proponents

#### Applicant(s)

Joseph Lebrato  
Charles Lebrato  
City Department

Other

#### Opponents

#### Groups or Individuals

None

Basis of Opposition

#### Staff Recommendation

☒ For ☐ Against

Reason Against

#### Board or Commission Recommendation

#### By

☒ For ☐ Against  
☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)

#### CITY COUNCIL ACTIONS

(For Council  
use only)☐ Pass ☐ Other☐ Pass (as  
amended) ☐ Hold☐ Council Sub. ☐ Do not pass



**DETAILS**

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

**Project Start**

**Date** 19 April 1985

**Projected Completion or Occupancy**

**Date** 27 June 1985

**Fact Sheet Prepared by**

**Date** 27 June 1985

Patricia Biancaniello

Reviewed by

*Gary Baeten*  
Gary Baeten, Senior Planner

**Date** 27 June 1985

**Reference or Case Number**

6 June 1985

PROPOSAL:

Joseph & Charles Lebrato request the vacation of easements.

GENERAL INFORMATION:

Location:

Easements are located north,  
and west of Commercial Drive.

Legal Description:

Metes & Bounds in File

Surrounding Zoning:

The abutting property is M-2.

Reason For Request:

Buyers wish to expand business.

PLANNING STAFF DISCUSSION:

We se no objection to vacation, providing that all utilities release their rights.

RECOMMENDATION:

Conditional Approval

Contingent upon releases being recieved from all utilities.



## # 129

MAP NO. I-35

The map is a hand-drawn technical drawing of a city block. It features several streets: 'RAILWAY' on the left, 'WINTERURBAN DRIVE' running vertically, 'MAGNETIC DRIVE' running vertically, and 'COMMERCIAL' running horizontally at the bottom. A large building with a curved roofline is situated in the upper right quadrant. To its right is a smaller building labeled 'CORNING'. The map includes various annotations such as 'M-2' in four locations (top left, top right, center, and bottom right), '1800.0', '1720.0', '1700.0', '1680.0', '1660.0', '1640.0', '1620.0', '1600.0', '1580.0', '1560.0', '1540.0', '1520.0', '1500.0', '1480.0', '1460.0', '1440.0', '1420.0', '1400.0', '1380.0', '1360.0', '1340.0', '1320.0', '1300.0', '1280.0', '1260.0', '1240.0', '1220.0', '1200.0', '1180.0', '1160.0', '1140.0', '1120.0', '1100.0', '1080.0', '1060.0', '1040.0', '1020.0', '1000.0', '980.0', '960.0', '940.0', '920.0', '900.0', '880.0', '860.0', '840.0', '820.0', '800.0', '780.0', '760.0', '740.0', '720.0', '700.0', '680.0', '660.0', '640.0', '620.0', '600.0', '580.0', '560.0', '540.0', '520.0', '500.0', '480.0', '460.0', '440.0', '420.0', '400.0', '380.0', '360.0', '340.0', '320.0', '300.0', '280.0', '260.0', '240.0', '220.0', '200.0', '180.0', '160.0', '140.0', '120.0', '100.0', '80.0', '60.0', '40.0', '20.0', '0.0'. The map also shows a large building with a curved roofline and a smaller building to the right. The map is labeled with 'M-2' in several locations and 'COMMERCIAL' at the bottom. The map is oriented with North at the top.

**Land Use:**

**NORTH**



**Date:** 4-24-85

RESOLUTION 75-52-18

WHEREAS, JOSEPH LEBRATO AND CHARLES LEBRATO have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easements situated in Fort Wayne, Allen County, to-wit:

The North 225 feet of the South one-half of Section 33, Township 30 North, Range 12 East, containing 13.98 acres of land, more or less, being from the East right-of-way line of the Lake Erie and Western Railroad to the centerline of the Bluffton Road, subject to a right of way over and across the East 40 feet thereof for Indiana State Road #1, commonly known as Bluffton Road, also except that part dedicated for road purposes by deed recorded in Deed Record 643, page 277, and also except that part dedicated for road purposes by deed recorded in Deed Record 643, page 273, and also except those parts conveyed by deed recorded in Deed Record 658, page 33, Deed Record 659, page 575, Deed Record 719, page 128, Deed Record 721, page 106 and Document Number 73-4886 (commonly known as 3020 Commercial Road, Fort Wayne, Indiana

TO-WIT: (1) An easement for street and highway purposes over and across the East 50 feet of the West 512 feet of the above described real estate.

TO-WIT: (2) An easement over the West 20 feet of the above described real estate said dedication executed on September 25, 1964 and recorded in Deed Record 643, page 277-279, in the Recorder's Office of Allen County, Indiana.

TO-WIT: (3) An easement over and across the North 14 feet of the legally described real estate for all public, quasi-public utilities.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated utility easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easements hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easements hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said dedicated utility easements or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.



STATE OF INDIANA)  
                          ) SS:  
COUNTY OF ALLEN )

I, David Kiester, Chairman of the  
Board of Public Works, do hereby certify that attached hereto is a full,  
true and correct copy of a resolution adopted by the Fort Wayne Board of  
Works at their meeting held 7-3-85 and as same  
appears of record in the official records of said Board of Public Works.

DATED THIS 3<sup>rd</sup> DAY OF July 19 85

FORT WAYNE BOARD OF PUBLIC WORKS

David Kiester

David J. Kiester  
Director of Public Works

Cosette R. Simon

Cosette R. Simon  
Director of Administration & Finance

Lawrence D. Consalvos  
Director of Public Safety

## RESOLUTION

WHEREAS, JOSEPH LEBRATO AND CHARLES LEBRATO have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easements in Fort Wayne, Allen County, to-wit:

The North 225 feet of the South one-half of Section 33, Township 30 North, Range 12 East, containing 13.98 acres of land, more or less, being from the East right of way line of the Lake Erie and Western Railroad to the centerline of the Bluffton Road, subject to a right of way over and across the East 40 feet thereof for Indiana State Road #1, commonly known as Bluffton Road, also except that part dedicated for road purposes by deed recorded in Deed Record 643, page 277, and also except that part dedicated for road purposes by deed recorded in Deed Record 643, page 273, and also except those parts conveyed by deed recorded in Deed Record 658, page 33, Deed Record 659, page 575, Deed Record 719, page 128, Deed Record 721, page 106 and Document Number 73-4886 (commonly known as 3020 Commercaill Road, Fort Wayne, Indiana)

TO-WIT: (1) An easement for street and highway purposes over and across the East 50 feet of the West 512 feet of the above described real estate.

TO-WIT: (2) An easement over the West 20 feet of the above described real estate said dedication executed on September 25, 1964 and recorded in Deed Record 643, page 277-279, in the Recorder's Office of Allen County, Indiana.

TO-WIT: (3) An easement over and across the North 14 feet of the legally described real estate for all public and quasi-public utilities.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 17, 1985 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easements

WHEREAS, said vacation of said dedicated utility easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easements hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easements hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easements or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easements in Allen County, Indiana.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

I, MELVIN O. SMITH, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 22, 1985 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 16 DAY OF July 1985  
FORT WAYNE CITY PLAN COMMISSION

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith  
Secretary





The City of Fort Wayne  
LAND USE MANAGEMENT  
Division of Community Development & Planning

25 June 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated utility easements.

The proposed ordinance is designated as:

BILL NO. G-85-06-30

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
25th day of June 1985.

Melvin O. Smith  
Secretary

**FACT SHEET**

G-85-06-30

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE**Easement Vacation Ordinance**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

Portion of an easement on the property at  
7210 Penmoken Drive.

**Reason for Project**

To allow for the construction of a new  
garage, which would otherwise encroach  
3 feet into the present easement.

**Discussion (Including relationship to other Council actions)**

17 June 1985 - Public Hearing

The petitioner did not appear at the  
public hearing.

There was no one present who wished to  
speak in favor of or in opposition to the  
proposed vacation.

24 June 1985 - Business Meeting

Motion was made to return the ordinance to  
the Common Council with a DO PASS recommendation.  
Motion carried.

Of the eight (8) members present seven (7)  
voted in favor of one (1) did not vote.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**

Arnold H. Kuck  
City Department

Other

**Opponents****Groups or Individuals**

None

Basis of Opposition

**Staff  
Recommendation**

☒ For ☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**

☒ For ☐ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**

☐ Pass ☐ Other  
☐ Pass (as  
amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass

**DETAILS**

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

**Project Start**

**Date** April 19, 1985

**Projected Completion or Occupancy**

**Date** June 27, 1985

**Fact Sheet Prepared by**

**Date** June 27, 1985

Patricia Biancaniello

**Reviewed by**

**Date** June 27, 1985

*Gary F. Baeten*

Gary F. Baeten, Senior Planner

**Reference or Case Number**



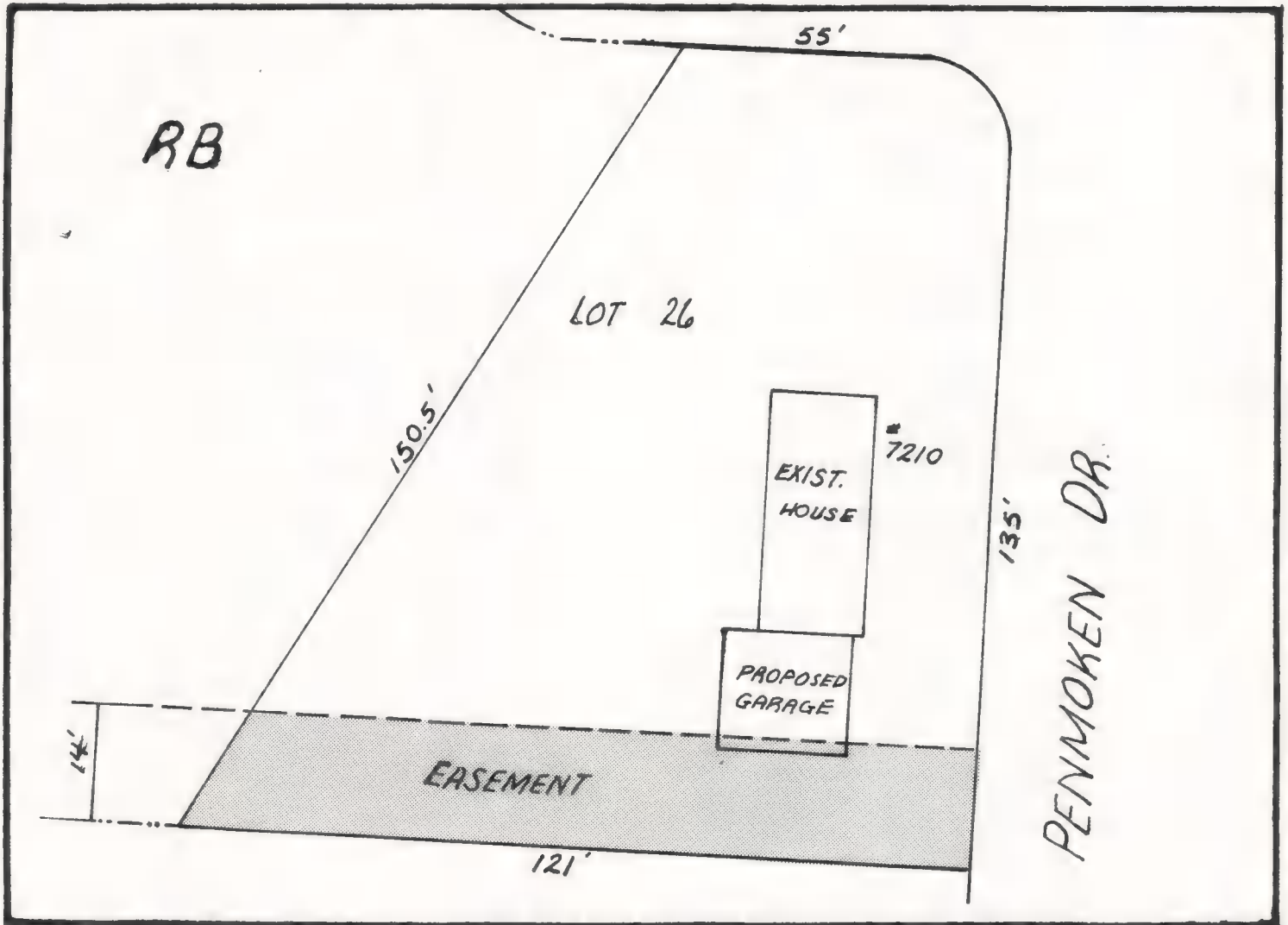
# VACATION PETITION

#130

A PETITION TO VACATE THE DESCRIBED UTILITY EASEMENT.

MAP NO. K-27

COUNCILMANIC DISTRICT NO. 5



Zoning:

RB RESIDENCE 'B'

Land Use:

☐ SINGLE FAMILY

BILL NO. G-85-06-30

Scale: NOT TO SCALE

Date: 4-24-85



6 June 1985

PROPOSAL:

Petitioner requests the vacation of a portion of an easement being the North 3 feet by 121 feet of a 14 foot utility easement.

GENERAL INFORMATION:

Location:	A 14 foot utility easement located at 7210 Penmoken Drive.
Legal Description:	Metes & Bounds in File
Existing Zoning:	Adjacent property is zoned RB.
Size of Property:	363 sq. ft.
Surrounding Zoning:	This easement is located in an RB district, and the area has residential development.
Reason For Request:	Construction of a garage.

PLANNING STAFF DISCUSSION:

As the petition is only requesting a vacation for a three foot strip of this easement, we find no objection.

RECOMMENDATION:

Conditional Approval

Contingent upon releases being received from all utilities.

WHEREAS, ARNOLD H. KUCK have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a dedicated utility easement situated in Fort Wayne, Allen County, to-wit:

The North 3 feet by 121 feet of the 14 foot by 121 foot utility easement on Lot 26 of Lake Shores, Section I

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a portion of a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of a dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, David Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held 7-3-85 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 3<sup>rd</sup> DAY OF July 19 85

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester  
David J. Kiester

Director of Public Works

Cosette R. Simon  
Cosette R. Simon

Director of Administration & Finance

Lawrence D. Consalvos

Director of Public Safety



R E S O L U T I O N

WHEREAS, ARNOLD H. KUCK have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a dedicated utility easement in Fort Wayne, Allen County, to-wit:

The North 3 feet by 121 feet of the 14 foot by 121 foot utility easement on Lot 26 of Lakeshores, Section I

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 17, 1985, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of a utility easement

WHEREAS, said vacation of said portion of a utility easment has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of a utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of a utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of a utility easement in Allen County, Indiana.

STATE OF INDIANA)

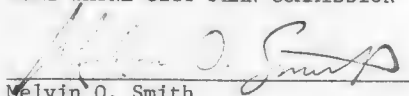
) SS:

COUNTY OF ALLEN )

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 22, 1985 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25th DAY OF June 19 85

FORT WAYNE CITY PLAN COMMISSION

  
Melvin O. Smith  
Secretary



# The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

25 June 1985

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of an alley.

The proposed ordinance is designated as:

BILL NO. G-85--06-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
25th day of June 1985.

Melvin O. Smith  
Secretary

**FACT SHEET**

G-85-06-31

BILL NUMBER

**Division of Community  
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Alley Vacation Ordinance

**DETAILS****Specific Location and/or Address**

Portion of alley south from Darrow St., which runs parallel to and west of South Calhoun.

**Reason for Project**

To be maintained for possible future plans for Fort Wayne Community Schools.

**Discussion (Including relationship to other Council actions)**

17 June 1985 - Public Hearing

Wayne Witmer, attorney for the petitioners Fort Wayne Community Schools stated that the vacation request is near South Side High School. He stated that a portion of the alley had been vacated 4 or 5 years ago at the time when the Community Schools purchased most of the homes along South Clinton Street in this area. He stated that there were one or two homes that remained and that is why the school did not vacate the entire alley at that time. He stated that now all of the homes in that particular block have been purchased by FWCS, they own both sides of the alley for which they are requesting the vacation. He stated that all of the homes have been demolished and there is no need for access on this portion of alley. He stated that presently the school has no plans for this portion of alley but they do wish this portion vacated so that if in the future they do have plans they will be prepared.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**Fort Wayne Community Schools  
City Department

Other

**Opponents****Groups or Individuals**

None

**Basis of Opposition****Staff  
Recommendation**☒ For☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**☒ For☐ Against☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS**(For Council  
use only)☐ Pass☐ Other☐ Pass (as  
amended)☐ Hold☐ Council Sub.☐ Do not pass



# DETAILS

## POLICY/ PROGRAM IMPACT

24 June 1985 - Business Meeting

Motion was made and carried to return the ordinance to the Common Council with a DO PASS recommendation.

Of the eight (8) members present seven (7) voted in favor of approval one (1) did not vote.

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date

21 March 1985

Projected Completion or Occupancy

Date

27 June 1985

Fact Sheet Prepared by

Date

27 June 1985

Patricia Biancaniello

Reviewed by

Date

27 June 1985

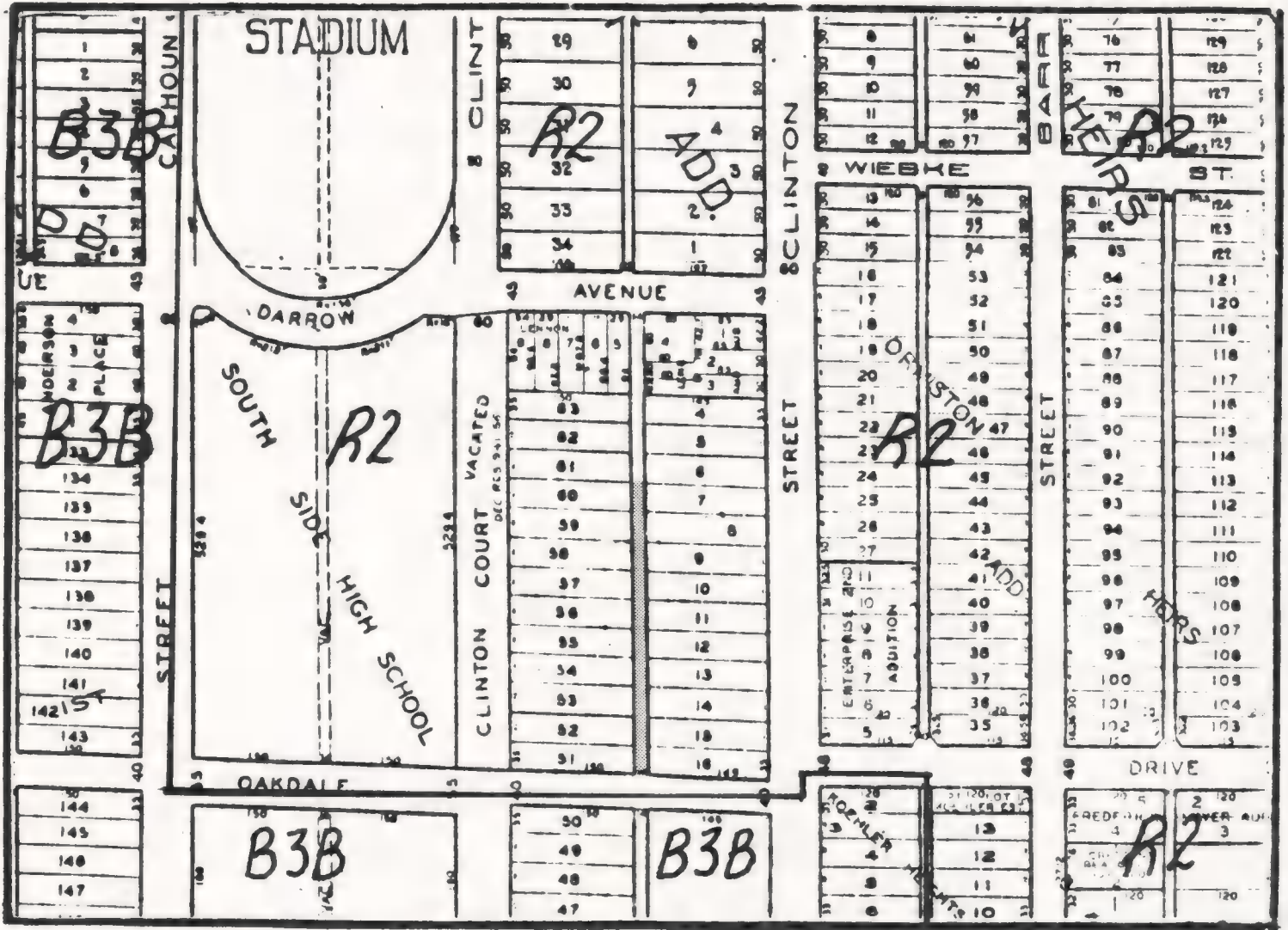
Gary F. Baeten, Senior Planner

Reference or Case Number

A PETITION TO VACATE THE DESCRIBED PORTION OF ALLEY.

MAP NO. M-11

COUNCILMANIC DISTRICT NO. 5



Zoning:

Land Use:

R2 RESIDENTIAL

B3B GENERAL BUSINESS B

BILL NO. G-85-06-31

Scale: 1"=200'

Date: 4-25-85



12 June 1985

PROPOSAL:

Fort Wayne Community Schools petitions for the vacation of a portion of an alley.

GENERAL INFORMATION:

Location:

The alley that runs south from  
Darrow Avenue, and west of Calhoun.

Legal Description:

Metes & Bounds in File

Size of Property:

Less than 1/6 th of an acre.

Surrounding Land Use & Zoning:

The block encompassed by Darrow Avenue,  
Clinton Street, Oakdale and Calhoun Street  
is zoned R-2. South Side High School is  
located in the block.

PLANNING STAFF DISCUSSION:

Petitioner represents that they are the owner of all abutting real estate.  
We see no objection to vacation providing that all utility easements are  
retained.

RECOMMENDATION:

Conditional Approval

- 1.) Applicant provide utility easements.
- 2.) Vacation petition be also signed by the remaining property owners that  
abut the North-South alley.

*School owns all*



RESOLUTION 75-52-20

WHEREAS, FORT WAYNE COMMUNITY SCHOOLS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of an alley situated in Fort Wayne, Allen County, to-wit:

That portion of the alley running South from Darrow Street which runs parallel to and West of South Clinton Street, the portion of said alley to be vacated being from the South line of Lots six (6) and sixty-one (61) in Dreibelbiss Addition to the North line of East Oakdale Avenue

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a portion of an alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of an alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of an alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)  
                  ) SS:  
COUNTY OF ALLEN )

I, David J. Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held 7-3-85 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 3<sup>rd</sup> DAY OF July 19 85

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester  
David J. Kiester  
Director of Public Works

Cosette R. Simon  
Cosette R. Simon  
Director of Administration & Finance

Lawrence D. Consalvos  
Director of Public Safety

R E S O L U T I O N

WHEREAS, FORT WAYNE COMMUNITY SCHOOLS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of an alley in Fort Wayne, Allen County, to-wit:

That portion of the alley running South from Darrow Street which runs parallel to and West of South Clinton Street, the portion of said alley to be vacated being from the South line of Lots six (6) and sixty-one (61) in Dreibelbiss Addition to the North line of East Oakdale Avenue

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 17, 1985 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of alley.

WHEREAS, said vacation of the portion of alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of alley in Allen County, Indiana.

STATE OF INDIANA)

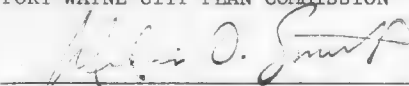
) SS:

COUNTY OF ALLEN )

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 22, 1985, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25th DAY OF June 1985

FORT WAYNE CITY PLAN COMMISSION

  
Melvin O. Smith  
Secretary



**The City of Fort Wayne**  
LAND USE MANAGEMENT  
Division of Community Development & Planning

2 July 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-05-14 (AS AMENDED)

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
2nd day of July 1985.

Melvin O. Smith  
Secretary

# FACT SHEET

Z-85-05-14 (AS AMENDED)

BILL NUMBER

## Division of Community Development & Planning

**BRIEF TITLE**

Zoning Ordinance Amendment

**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

3015 North Clinton Street

**Reason for Project**

The rezoning would allow for the construction of a car wash.

**Discussion (Including relationship to other Council actions)**20 May 1985 - Public Hearing

Doug Miller, attorney for the owners and the prospective owner of the property presented the Commission with a drawing of the proposed car wash. Mr. Miller stated that presently there is a vacant house on the lot and that the property is ill-kept at this time. He pointed out that this property is surrounding by business uses. He pointed out that Swiss Cleaners which is the North of the property has an entrance from Clinton and an exit on Eastbrook Drive. Mr. Miller pointed out that Harvey Electronics also has an exit onto Eastbrook Drive. He stated that the daily car count for a car wash would be approximately 150 cars, which would vary depending upon the season. He stated that they can live without the curb cut on Eastbrook but they would be the only one without a cut on Eastbrook Drive.

Jim O'Rourke, realtor, stated that he could not see this property being used for residential development.

There was no one present who wished to speak in favor of or in opposition to the

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**

Applicant(s)  
Virgina Whitley  
Don Merryman  
City Department

Other

**Opponents**

Groups or Individuals

None

Basis of Opposition

**Staff  
Recommendation**☐ For ☒ Against**Reason Against**

-approval would adversely  
impact area  
-undue hardship does not  
exist on this property

**Board or  
Commission  
Recommendation**

By

☒ For ☐ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**

☐ Pass ☐ Other  
☐ Pass (as  
amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass



# DETAILS

proposed rezoning.

3 June 1985 - Business Meeting

Of the seven (7) members present six (6) voted in favor of recommending a DO PASS to the Common Council, one (1) did not vote.

The ordinance was amended to exclude from the request a residential border along the West property line of the property.

## POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 18 April 1985

Projected Completion or Occupancy

Date 2 July 1985

Fact Sheet Prepared by

Patricia Biancaniello

Date 2 July 1985

Reviewed by

*Gary E. Baeten*  
Gary E. Baeten, Senior Planner  
Reference ☒ Case Number

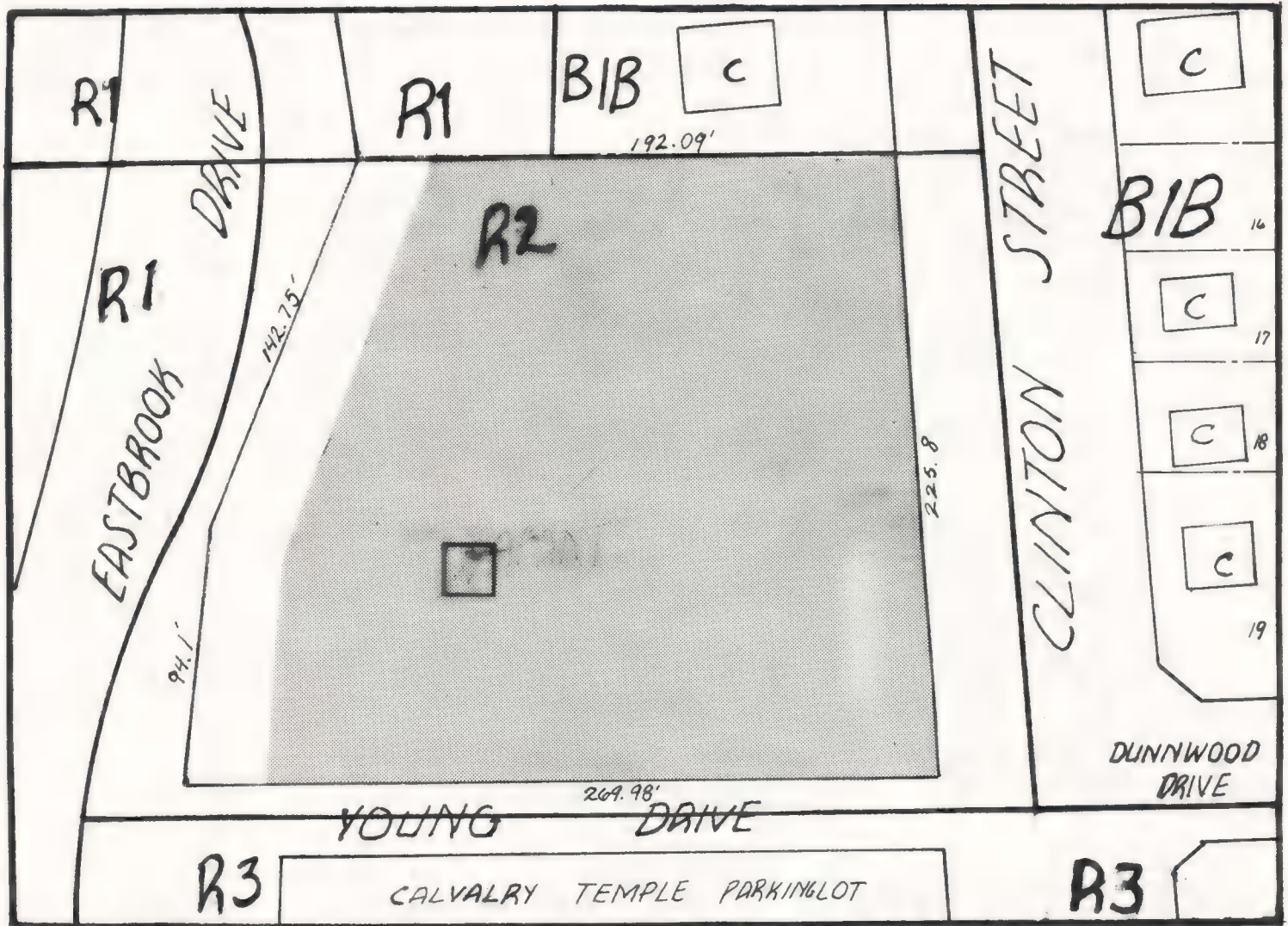
Date 2 July 1985

# ZONING PETITION #128

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R2 DISTRICT TO A BIB DISTRICT.

MAP NO. M-18

COUNCILMANIC DISTRICT NO. 3



## Zoning:

- R1 RESIDENTIAL DISTRICT
- R2 RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- BIB LIMITED BUSINESS B
- M1 LIGHT INDUSTAY

## Land Use:

- ☐ COMMERCIAL

BILL NO. Z-85-05-14 (AS AMENDED)

Scale: 1"=60'

-20-

Date: 4-24-85



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on 14 May 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-05-14 (AS AMENDED); and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on 20 May 1985;

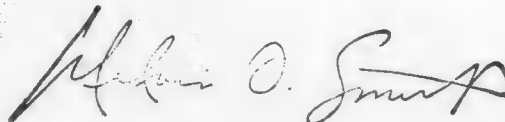
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held 3 June 1985.

Certified and signed this  
2nd day of July 1985.



---

Melvin O. Smith  
Secretary

13 May 1985

PROPOSAL:

Virginia Whitley and Don Merryman petition for a change of zone from R-2 to B-1-B.

GENERAL INFORMATION:

Location:	3015 N. Clinton Street
Legal Description:	Metes & Bounds in File
Existing Zoning:	1.23 Acres $\pm$
Size of Property:	North - B-1-B & R-1 - Commercial South - R-3 - Calvary Temple Parking Lot East - B-1-B - Commercial West - R-1 - Residential
Reason For Request:	Automobile Washing Station
Applicable Regulations:	The proposed use would be permitted in a B-1-B
Comprehensive Plan:	The general land use policies state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located is to maintain existing investments and prevent deterioration in existing neighborhoods.
Neighborhood Planning:	No Comment
HANDS:	No Comment
Housing Authority:	No Comment
Traffic Engineering:	The State has jurisdiction over Clinton Street and would have final approval of the geometrics and design of all cuts.

SPECIAL INFORMATION:

Physical Characteristics: Utilities are available for this site.

PLANNING STAFF DISCUSSION:

We are very concerned with commercial encroachment into this area. In July of 1984, the property to the south was rezoned to R-3 in order to allow possible office usage of the Calvary Temple facility, and allow for some buffering of the residential area.

Clinton Street is a major north-south traffic generator which reflects in concerns regarding the safety of residents in the neighborhood. Approval of the rezoning



Change of Zone #128  
13 May 1985

Page two

would probably generate additional traffic thru this corridor much to the adverse affect upon existing traffic conditions and safety concerns.

The approval would adversely impact the residential and aesthetic quality of life, and would encourage future encroachment and commercial strip zoning. With a rezoning, we would lose control over preservation of residential life qualities and could not provide any type of buffering or transitional development.

A similar size parcel towards the west on Brookway Drive has been developed with a cul-de-sac. The subject property could be developed into approximately 4 or 5 lots in the same manner as Vesey Park Addition off of Westbrook Drive.

RECOMMENDATION:

Denial

- 1) Approval would adversely impact the surrounding area.
- 2) Approval would encourage encroachment of commercial uses into residential area.
- 3) An undue hardship does not appear to exist, as the property could be developed residentially.

However, if the Commission and City Council wish to approve this change of zone, we feel that west 60 feet of the subject property be retained in R-2, no curb cuts be permitted on Eastbrook Drive and landscape plan be submitted for 60 feet strip to ID&P for review and approval.

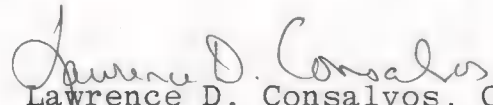
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 104/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

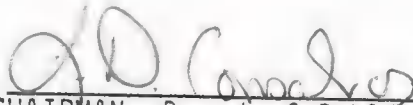
Respectfully Submitted,

  
Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 104/85 /E )

I hereby certify that I did this 10th day of July, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 104/85 /E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

  
\_\_\_\_\_  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 104/85/E  
(Adopted July 10, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 77/85/E: 90 MINUTE

PARKING 8 A.M. to 6 P.M. (EMERGENCY)

\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 9, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 10, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

90 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY)

Fifth Street -- south side -- from Harrison Street to 130 feet west thereof



President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 105/85/D  
106/85/D  
107/85/D  
108/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Lawrence D. Consalvos".

Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 105/85/D  
106/85/D  
107/85/E  
108/85/D)

I hereby certify that I did this 10th day of  
July, 1985 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 105/85/D  
106/85/D of the Board of Public  
107/85/E & 108/85/D  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

J.D. Connelley  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 105/85/D

(Adopted July 10, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-87 of said chapter delegates to this Board authority to DELETE: NO PARKING (DELEGATED)

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\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 8, 19 85, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-87 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

July 10, 1985, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: NO PARKING (DELEGATED)

Beaver Avenue -- east side -- from Wildwood Avenue to the first alley south thereof

REGULATORY RESOLUTION NO. 106/85 /D

(Adopted July 10, 1985 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-87 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

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\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 8, 1985, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-87 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

July 10, 1985, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Roy Street -- west side -- from Maumee Avenue to the first alley north thereof (about 120 feet)



(Adopted July 10, 1985)

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

\_\_\_\_\_ : AND,

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

STOP INTERSECTION (EMERGENCY)

Kentland Avenue -- stop -- for Trick Avenue

REGULATORY RESOLUTION NO. 108/85/D

(Adopted July 10, 1985 )

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-52 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION  
(DELEGATED)  
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; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 9, 1985, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-52 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective July 10, 1985, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)  
\_\_\_\_\_

Edsall Avenue -- preferential -- at Felician Street

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 109/85/D

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Lawrence D. Consalvos".

Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 109/85 D)

I hereby certify that I did this 11th day of July, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 109/85/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

A. D. Conzelius  
CHAIRMAN, Board of Public Safety



REGULATORY RESOLUTION NO. 109/85/D

(Adopted July 11, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-87 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

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\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 10, 19 85, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-87 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

July 11, 19 85, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Davis Street -- west side -- from Bequette Street to 125' north thereof

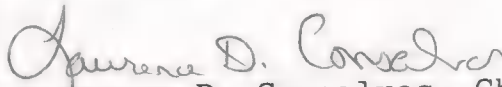
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 110/85/E  
111/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

  
Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 110/85/E  
111/85/E)

I hereby certify that I did this 15th day of  
July, 19 85 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 110/85/E  
111/85/E of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

J. D. Conalio  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 110/85/E

(Adopted July 15, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 78/85/E: PARKING

PERMITTED IN NO PARKING ZONE (CHURCH ORDINANCE) (EMERGENCY)

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\_\_\_\_\_ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated July 12, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 15, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PARKING PERMITTED IN NO PARKING ZONE (CHURCH ORDINANCE) (EMERGENCY)

Maurane Drive -- north side -- from Getz Road to the eastern terminus  
on Sundays and other special seasonal services  
and events from 8:30 A.M. to 12:30 P.M.



REGULATORY RESOLUTION NO. 111/85/E

(Adopted July 15, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 79/85/E: STOP INTERSECTION  
(EMERGENCY) & DELETE: STOP INTERSECTION (EMERGENCY)  
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\_\_\_\_\_ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 12, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 15, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Turpie Street -- stop -- for Drexel Avenue

DELETE: STOP INTERSECTION (EMERGENCY)

Drexel Avenue -- stop -- for Turpie Street


President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 112/85/E  
113/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

  
Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 112/85/E  
113/85/E )

I hereby certify that I did this 16th day of  
July, 1985 deliver to each, the City Traffic  
Engineer, the Chief of Police, the City Attorney, the City  
Clerk and the President of the Common Council of the City  
of Fort Wayne, Indiana respectively, a copy of the within  
Regulatory Resolution No. 112/85/E  
113/85/E of the Board of Public  
Safety of the City of Fort Wayne, duly certified by me as  
Chairman of said Board, in accordance with the provisions  
of Section 17-4 of Chapter 17, of the Code of the City of  
Fort Wayne, Indiana 1974.

J. D. Connelley  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 112/85/E

(Adopted July 16, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 81/85/E: NO PARKING (EMERGENCY)

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\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 16, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 16, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Masterson Avenue -- north side -- from Clinton Street to 235 feet east thereof



REGULATORY RESOLUTION NO. 113/85/E

(Adopted July 16, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 82/85/E: STOP INTERSECTION  
(EMERGENCY) & DELETE: PREFERENTIAL INTERSECTION (EMERGENCY)  
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\_\_\_\_\_ : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 16, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 16, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Fairfax Avenue -- stop -- for Plaza Drive

DELETE: PREFERENTIAL INTERSECTION (EMERGENCY)

Plaza Drive -- preferential -- at Fairfax Avenue

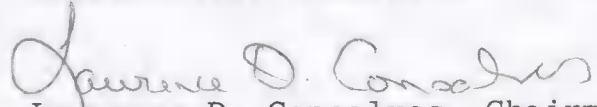
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 114/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

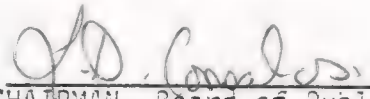
A handwritten signature in dark ink, appearing to read "Lawrence D. Consalvos". The signature is fluid and cursive, with the first name "Lawrence" and last name "Consalvos" clearly legible.

Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 114/85/E)

I hereby certify that I did this 22nd day of July, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 114/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

  
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 114/85/E

(Adopted July 22, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 83/85/E: NO PARKING

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated July 19, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 22, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Upper Huntington Road -- both sides -- from Covington Road to Wilkie Drive



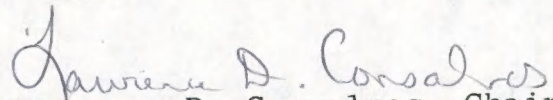
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of  
Public Safety Regulatory Resolution Numbers: 115/85/E

For the purpose of enforcement, please make this communication  
and the attached Regulatory Resolutions a matter of record and  
incorporate them into the minutes of the next Common Council  
Meeting.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Lawrence D. Consalvos". The signature is written in a cursive style with a large initial "L".

Lawrence D. Consalvos, Chairman  
Board of Public Safety

R E T U R N   C E R T I F I C A T E

(Regulatory Resolution No. 115/85/E)

I hereby certify that I did this 23rd day of July, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 115/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

A. D. Connelley  
CHAIRMAN, Board of Public Safety



REGULATORY RESOLUTION NO. 115/85/E

(Adopted July 23, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

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\_\_\_\_\_: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 19, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

July 23, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1604 Andrew Street -- east side -- from 30' north of Spring Street to 20' north thereof

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 23rd day of July, 19 85, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

\_\_\_\_\_  
SANDRA E. KENNEDY, CITY CLERK